



City of Duluth

411 West First Street
Duluth, Minnesota 55802

Master

File Number: 18-031-O

File ID: 18-031-O

Type: Ordinance

Status: Passed

Version: 1

**Agenda
Section:**

Committee: Planning and
Economic
Development

File Created: 06/14/2018

Subject:

Final Action: 07/09/2018

Title: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION OF PROPERTY ALONG WEST ARROWHEAD ROAD, BETWEEN SWAN LAKE ROAD AND NORTH ARLINGTON AVENUE, FROM RESIDENTIAL-URBAN (R-2) TO MIXED USE-PLANNED (MU-P).

Internal Notes: Ordinance by Steven Robertson

Sponsors:

Enactment Date: 07/09/2018

Attachments: Attachment 1, Attachment 2

Enactment Number: 10578

Recommendation:

Hearing Date:

Drafter: cstafford@duluthmn.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	06/25/2018	read for the first time				
1	City Council	07/09/2018	adopted				

Text of Legislative File 18-031-O

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION OF PROPERTY ALONG WEST ARROWHEAD ROAD, BETWEEN SWAN LAKE ROAD AND NORTH ARLINGTON AVENUE, FROM RESIDENTIAL-URBAN (R-2) TO MIXED USE-PLANNED (MU-P).

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That land between on the south side of West Arrowhead Road between Swan Lake Road and North Arlington Avenue, and as more particularly described as follows:

Kensington Place Addition to Duluth, Blocks 1, 2, 3, and 4, be rezoned from Residential-Urban (R-2) to Mixed Use-Planned (MU-P), and that the official zoning map of the City of Duluth as referenced in Chapter 50 of the Duluth City Code, 1959, is amended to read as shown in the attached document.

Section 2. That this ordinance shall take effect and be in force 30 days from and after its passage and publication.

STATEMENT OF PURPOSE: This ordinance provides a zoning change from R-2 to MU-P. The Mixed Use-Plan (MU-P) zone district allows for more flexibility for development than traditional zone districts.

Following the approval of a rezoning ordinance by the city council, MU-P districts must submit a detailed Regulating Plan for approval by the Land Use Supervisor. Requirements of the Regulating Plan are listed in UDC Section 50-15.7.E and 50-15.7.F. The Regulating Plan must be consistent with the Concept Plan and must be approved before any building permits can be issued for the property.

The developer is proposing a mix of mixed-use/commercial uses for parcels 1 and 2 along the NE corner of the development adjacent to Arrowhead Road, and a mix of community/civic uses for parcel 3 along the NW corner of the development. The southern half of the property along Marble Street will remain R-1; future use of that property will be limited to the uses and development standards typical of any property zoned R-1 in Duluth.

Any future change to an approved concept plan involving a use, height, or density of a development needs to be approved by the city council through a new rezoning process.

On June 12, 2018, the Duluth city planning commission held a public hearing on the proposal and voted 6 yeas, 1 nays, and 0 abstentions to recommend that the city council approve the rezoning requested for the following reasons:

- 1) The proposed rezoning is able to implement the objectives of the Comprehensive Plan related to the proposed land use for this area;
- 2) The rezoning is consistent with the Comprehensive-Plan Future Land Use Map and the Riverside Small Area Plan;
- 3) Material adverse impacts on nearby properties are not anticipated.

As the rezoning is from a residential district to a mixed use district, a motion to approve must prevail with an affirmative vote of 2/3 of the city council (per 50-37.3.B.3).

Petition Received: June 12, 2018

Action Deadline: September 8, 2018

Petitioner:

Duluth Gospel Tabernacle Church
1515 W. Superior St.
Duluth, MN 55806

PL 18-069